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TO: Commissioner for Patents  
Attn: Examiner Not Yet Assigned  
Group Art Unit 2154  
Patent Examining Corps  
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FROM: Janaki K. Davda

OUR REF: 0057.0024  
TELEPHONE: 310-556-7983

Total pages, including cover letter: 2

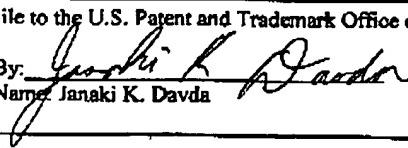
**PTO FAX NUMBER 1-703-872-9306**

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Description of Documents Transmitted: SUBMISSION OF SUPPLEMENTAL  
DECLARATION UNDER 37 C.F.R. 1.67

Applicant: J.C. Chong et al.  
Serial No.: 10/606,028  
Filed: June 25, 2003  
Group Art Unit: 2154  
Docket No.: SVL920040552US2

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on May 5, 2005

By:   
Name: Janaki K. Davda

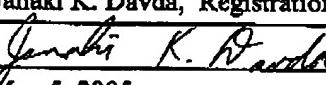
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0057.0024

<b>TRANSMITTAL FORM</b>		Application Number	10/606,028
<i>(To be used for all correspondence after initial filing)</i>	Filing Date	June 25, 2003	
	Inventor	J.C. Chong et al.	
	Group Art Unit	2154	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in this Submission: 8	Attorney Docket Number	SVL920040552US2	

**ENCLOSURES (check all that apply)**

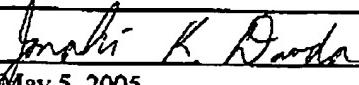
<input type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <li><input type="checkbox"/> Fee Attached</li> </ul>	<input type="checkbox"/> Assignment Papers (for an application)	<input type="checkbox"/> Certificate of Correction of Applicant's Mistake (37 CFR 1.323)
<input type="checkbox"/> Amendment/Reply <ul style="list-style-type: none"> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits /Declarations</li> </ul>	<input type="checkbox"/> Formal Drawings: ___ sheets	<input type="checkbox"/> Certificate of Correction of Office Mistake (37 CFR 1.322)
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition:	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement; ___ references	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Power of Attorney, Revocation, and/or Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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	<input type="checkbox"/> CD, Number of CD(s) ___	<input type="checkbox"/> Fee Address Indication Form
	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Submission of Supplemental Declaration under 37 C.F.R. 1.67

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name:	Janaki K. Davda, Registration No. 40,684	
Signature:		
Date:	May 5, 2005	
KONRAD RAYNES & VICTOR, LLP 315 South Beverly Drive, Suite 210 Beverly Hills, California 90212 (310) 556-7983	<input checked="" type="checkbox"/> The Commissioner is authorized to charge any deficiency of fees, or credit any overpayment, to Deposit Account No. 09-0460	

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I hereby certify that this Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO, on the date indicated below.

Typed or Printed name:	Janaki K. Davda	Customer No.
Signature:		47069
Date:	May 5, 2005	

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	J.C. Chong et al.	Examiner:	Not Yet Assigned
Serial No.:	10/606,028	Group Art Unit:	2154
Filed:	June 25, 2003	Docket No.:	SVL920040552US2
TITLE:	METHOD AND SYSTEM FOR MONITORING PERFORMANCE OF APPLICATIONS IN A DISTRIBUTED ENVIRONMENT		

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**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office at 703-872-9300 on May 5, 2005

Jyoti K. Davda

**SUBMISSION OF SUPPLEMENTAL  
DECLARATION UNDER 37 C.F.R. 1.67**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madame:

On November 17, 2003, Applicants submitted a Declaration and Power of Attorney, which was signed by all inventors except for Raymond Chow, Christopher Zychowski, and Henry Tang. Along with the Declaration and Power of Attorney, Applicants submitted documents to show that Raymond Chow, Christopher Zychowski, and Henry Tang had refused to sign the Declaration and Power of Attorney.

At this time, Henry Tang has signed a Declaration and Power of Attorney, which identifies the entire inventive entity but, which is only signed by Henry Tang, per 35 U.S.C. 1.67(a)(2).

Serial No. 10/606,028  
Docket No. SVL920040552US2  
Firm No. 0057.0024

Applicants respectfully request entry of the Supplemental Declaration and Power of Attorney.

Dated: May 5, 2005

By:



Janaki K. Davda  
Registration No. 40,684

Please direct all correspondences to:

David Victor  
Konrad Raynes & Victor, LLP  
315 South Beverly Drive, Ste. 210  
Beverly Hills, CA 90212  
Tel: 310-553-7977  
Fax: 310-556-7984

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DOCKET: R0288-00010  
(SVL920040552US2)**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD AND SYSTEM FOR MONITORING PERFORMANCE OF APPLICATIONS IN A DISTRIBUTED ENVIRONMENT**

the specification of which (check one)

is attached hereto.  
 was filed on 06/25/2003 as United States Application Number or PCT International Application Number. 10/606028 and was amended on MM/DD/YYYY (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f), or Section 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Number	Country	Day/Month/Year Filed	Priority NOT Claimed	Certified Copy Attached? YES NO
None				

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed on the below representative customer number to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Correspondence and Representative Customer Number: 24852

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DOCKET: R0288-00010  
(SVL920040552US2)

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

Direct Telephone Calls to: (name/telephone number) Romualdas Strimaitis, Reg. No. 35,697, (408) 463-5676

Full name of sole or first joint-inventor: James C. Chong

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 153 Lombardy Lane, Orinda, California 94563

Citizenship: United States of America

Post Office Address: Same

Full name of second joint-inventor: Joseph L. Chan

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 3984 El Nido Ranch Road, Lafayette, California 94594

Citizenship: United Kingdom

Post Office Address: Same

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DOCKET: R0288-00010  
(SVL920040552US2)

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

Full name of third joint-inventor: Tushar M. Patel

Inventor's signature:

Date:

Residence: 2281 Cecilia Ave., San Francisco, California 94116

Citizenship: United States of America

Post Office Address: Same

Full name of fourth joint-inventor: Jean-Jacques Heier

Inventor's signature:

Date:

Residence: 4192 Rincon Circle, Palo Alto, California 94306

Citizenship: United States of America

Post Office Address: Same

Full name of fifth joint-inventor: Chi Hong So

Inventor's signature:

Date:

Residence: 150 Cleaveland Road, Apt 104, Pleasant Hill, California 94523

Citizenship: Hong Kong

Post Office Address: Same

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DOCKET: R0288-00010  
(SVL920040552U82)

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

**Full name of sixth joint-inventor:** Arthur Tsang

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 1473 Treat Blvd. Apt 1618, Walnut Creek, California 94596

Citizenship: Hong Kong

Post Office Address: Same

**Full name of seventh joint-inventor:** Robert S. Lam

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 320 Caldecott Lane, #306, Oakland, California 94618

Citizenship: United States of America

Post Office Address: Same

**Full name of eighth joint-inventor:** Raymond Chow

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 143 Minerva Way, San Ramon, California 94583

Citizenship: United States of America

Post Office Address: Same

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DOCKET: R0288-00010  
(SVL920040552US2)

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

**Full name of ninth joint-inventor:** Jerome D. Banks

Inventor's signature:

Date:

Residence: 888 O'Farrell Street, #211, San Francisco, California 94109

Citizenship: United States of America

Post Office Address: Same

**Full name of tenth joint-inventor:** Christopher M. Zychowski

Inventor's signature:

Date:

Residence: 289 Liberty Street, San Francisco, California 94114

Citizenship: United States of America

Post Office Address: Same

**Full name of eleventh joint-inventor:** Henry Tang

Inventor's signature:

Date: 9/11/2004

Residence: 1751 Magnolia Way, Walnut Creek, California 94595

Citizenship: United States of America

Post Office Address: Same